

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
February 13, 2006

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, February 13, 2006; at 10:00 a.m. **COMMISSIONERS RICHARD GRAHAM, DENNIS HADALLER, and JIM LOWERY** were in attendance. **CHAIRMAN GRAHAM** who determined a quorum and proceeded with the flag salute called the meeting to order. **COMMISSIONER Dennis Hadaller** moved to approve the minutes from the meeting held on Monday, February 6, 2006. **Commissioner Jim Lowery** seconded. Motion carried 3-0.

PUBLIC COMMENT:

No one signed up to speak.

NOTICE:

COMMISSIONER Jim Lowery moved to approve Consent agenda items 1 and 2 **COMMISSIONER Dennis Hadaller** seconded the motion. Karri Muir, Clerk of the Board, read the items aloud.

1. **Call for Bids:** For printing of all county Legal Publications. Bids will be opened on March 27, 2006, on or after 10:30 AM. **Resolution No. 06-054.**
2. **Notice:** To interested consultants for the County's "On Call" Consultant Service Roster for April 2006.

Chairman Graham asked for questions. There were none. Motion carried 3-0.

CONSENT:

COMMISSIONER Dennis Hadaller moved to approve Consent agenda items 3 through 14 **COMMISSIONER Jim Lowery** seconded the motion. Karri Muir, Clerk of the Board, read the items aloud.

3. **Resolution No. 06-055 Approving a millage contract between Lewis County and Morningside to provide transition services for students 18-21 with developmental disabilities.**
4. **Resolution No. 06-056 Approving Task Assignment #05-01 with Tacoma Power for chip seal work performed summer 2005.**
5. **Resolution No. 06-057 Approving a reimbursable service agreement between Lewis County and Clark and authorizing signatures thereon.**
6. **Resolution No. 06-058 Approving a contract REL0506 between Lewis County and Reliable Enterprises to provide employment services to adults with developmental disabilities.**
7. **Resolution No. 06-059 A Millage contracts with Reliable Enterprises to provide specialized recreational services for individuals with developmental disabilities and their families.**
8. **Resolution No. 06-060 Approving a contract between Lewis County and Morningside to provide employment services to adults with developmental disabilities.**
9. **Resolution No. 06-061 Approving an agreement with WSDOT establishing a non-discrimination program.**
10. **Resolution No. 06-062 Approving grant agreement from the FAA on behalf of the Chehalis/Centralia Airport and authorizing signatures thereon.**
11. **Resolution No. 06-063 Ratifying a contract between Lewis County and Dulin Construction, Inc. for emergency repair work, and authorizing signatures thereon.**
12. **Resolution No. 06-064 A proposed lease to Lewis County by Fire District 12 for a fire dispatch base station at the fire station on Cooks Hill Road.**
13. **Resolution No. 06-065 Approving extra help rate for County Assessor employee.**
14. **Resolution No. 06-066 Closing Telegraph Road to all through traffic.**

Chairman Graham asked for questions.

Motion carried 3-0

Chairman Graham then recessed the meeting until 10:30 a.m.

HEARING:

10:30 AM

Hearing: To amend Dangerous Animal Ordinance 1133

Chairman Graham called the meeting back to order. He announced the hearing on Ordinance 1133.

Doug Ruth, Amy Clark, Dustin Green were in attendance for the hearing.

Mr. Ruth gave a short summary. He stated the changes were divided it into State Law and County Law. He went over the changes in the State criteria determining if an animal is dangerous. The law states now they are dangerous if they have inflicted injury to a human. It added an addition of an informal review to determine if the animal is dangerous. The Sheriff notifies owner of the dangerous animal and they have a chance to meet with the authorities to plea their case. After this meeting the animal authority can make a determination. After the determination, the owner still has a chance to appeal the decision. An additional requirement for is for owners of dangerous animals to have a bond or insurance in the amount of \$250,000.

The Counties ordinance read before dangerous dogs. It now reads all animals and will go along with the state laws. This puts all animals in the same law. He then summarized the changes to the Counties ordinance.

Chairman Graham clarified that the ordinance states dogs, but it will now be animals.

Mr. Ruth stated that was correct. All the sections that pertain to dogs now say animals.

Commissioner Lowery asked if the State laws that are now incorporated are they already ones we are required to enforce now in the county.

Mr. Ruth answered the animal authority would be required to enforce some of them.

Commissioner Lowery described a dangerous animal being one that inflicts injury on a human, it is only a human or would killing a domestic animal apply also?

Mr. Ruth stated this would still be a dangerous animal. He then went over that part of the ordinance.

There was discussion on dangerous and potentially dangerous animals and how those would be defined in this ordinance.

Commissioner Hadaller referenced a bird killing a family member. The bird is still with the family. He asked, how this situation would be handled with the new law.

Mr. Ruth replied that if it killed someone the bird would fall into the category of dangerous animal. The sheriff's office would declare it as a dangerous animal and confiscate that animal. The owner would then have to meet the requirements of owning a dangerous animal. If they did not the animal could be destroyed and they would be liable.

Sergeant Breen stated there is exclusion in the law if the animal was provoked. The owner would have to clearly show that the animal was provoked. If it were not clearly defined, the animal would not be declared dangerous.

Commissioner Hadaller stated if someone came on my property and provoked his bull, he would not want to be held responsible to someone being harmed.

Sargent Breen-replied If it was a willful trespass of a person it will be looked at different than if someone was on your property with permission.

Chairman Graham asked for questions from the Board and the audience. He then went into the public hearing.

Kathleen Eussen, Director of Health and Social Services, read a testimony from a citizen wanting to make sure these changes will cover the dangerous situation. .

Chairman Graham asked if there was anything else. There was none. He asked for a motion to approve the amendment to the ordinance.

Commissioner Lowery moved to adopt the ordinance **Commissioner Hadaller** seconded the motion.

Motion carried 3-0

Workshop:

To approve Ordinance 1187, amendments to LCC 15305, to incorporate mandated statewide adoption of International Code Council (ICC).

Chairman Graham announced there would be a Workshop on Ordinance 1187.

Phil Rupp- stated this was the 2nd workshop to adopt Ordinance 1187. This ordinance has taken care of the Road standards portion of the code.

Chairman Hadaller asked Mr. Cook if he had seen this portion and asked if it meets Public Works criteria, for the road standards.

Mr. Cook stated that he had seen that portion, and it did meet the standards for Public Works.

Commissioner Hadaller asked in the road standards if the sight distances were defined? And are you using the state regulations or does the county have it's own set.

Mr. Cook clarified that the county does use the state regulations on sight distance for road standards.

Commissioner Hadaller stated that he understood that is was 660 feet both ways?

Commissioner Lowery asked if those are the standards that adopt road standards that set the guidelines for public roads and private.

Mr. Cook stated that was correct

Commissioner Lowery asked if we adopt this we are adopting what exists and not the proposals from before?

Chairman Graham stated that we had our review of the ordinance and asked if there was more to review.

Commissioner Hadaller asked if fire protection was in the ordinance.

Mr. Chapman replied that is in the International code.

Commissioner Hadaller asked if they had settled on the width of the roads.

Mr. Chapman replied that was the reason they were doing this today.

Chairman Graham asked if the- fire districts have come to the table on this.

Mr. Cook. The fire districts are now going with the County code. They are now talking about changing some of these for bigger fire equipment.

Commissioner Hadaller stated he was concerned that in Lewis County there are so many different soil types. The. County standards being 12 inches, some roads don't need that.

Chairman Graham stated that we were dealing with the IBC and ICC right now. We will look at the other issues when the road standards are gone over in the future.

There was some discussion on different road standards and fire districts access. This will be gone over in a future meeting.

Commissioner Lowery asked about a \$100 filing fee for appealing and has it always been this way for private road standards. Is this is a standard practice?

There was discussion on the fees and whom they actually went to.

Chairman Graham asked for questions. There were none. He adjourned the workshop and asked for a motion to approve Ordinance 1187.

Commissioner Lowery made a motioned to adopt Ordinance 1187 **Commissioner Hadaller** seconded the motion.

Motion Carried 3-0

Chairman Graham asked if there was any other business for the board.

Commissioner Hadaller moved to adjourn the meeting. **Commissioner Lowery** seconded the motion.

There being no further business, the Commissioners' public meeting was adjourned at 11:50 a.m., on Monday, February 13, 2006. The next public meeting will be held on Monday, February 27, 2006 at 10:00 a.m.

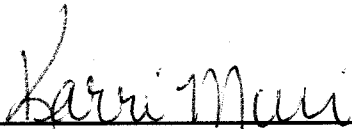
Please note that minutes from the Board of County Commissioners' meetings are not verbatim. A tape of the meeting may be purchased at the Commissioners' office.

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY WASHINGTON**



Richard Graham, Chairman of the Board

ATTEST:



Karri Muir, Clerk of the Board
Lewis County Commissioners



Dennis Hadaller, Commissioner



Jim Lowery, Commissioner